

**SECTION 205****PARKING, ACCESS, CURB CUTS AND CULVERTS, OFF-STREET LOADING AND UNLOADING, AND QUEUING REQUIREMENTS**

(As amended by Ordinance Nos. O03-10-20, O05-04-06, O06-12-28, O12-12-23 and O15-08-21)

**SECTION 205.1 PURPOSE**

The parking, access, curb cuts and culverts, and off-street loading and unloading requirements and the regulations of such parking, access, curb cuts and culverts, and loading and unloading set forth in this Section are designed to alleviate and prevent congestion in the streets.

**SECTION 205.2 APPLICATION OF REGULATIONS**

- 205.2A Any building, structure, or use lawfully established prior to the effective date of this Zoning Code shall not be required to comply with the provisions of this Section except as provided herein.
- 205.2B All buildings and structures erected and uses established after the effective date of this Zoning Code shall comply with the provisions of this Section, provided, however, if a building permit was issued prior to the effective date of this Section and construction has begun within six (6) months of the date of said permit, the parking and loading regulations in effect on the date such permit was issued shall apply.
- 205.2C If the intensity of use of any existing building, structure, or use is increased by the addition of dwelling units, gross floor area, seating capacity or any other measure of increased intensity, the provisions of this Section shall apply only to the extent of such increase in intensity of use.
- 205.2D If the existing use of a building or structure shall be changed to a new use, such new use shall comply with the provisions of this Section, provided however, that if the existing use is located in a building or structure existing on the effective date of this Section, additional parking and loading requirements shall be required only in the amount by which the requirements for the new use exceed the amount required for the existing use.
- 205.2E Any conforming or legally nonconforming building, structure or use which is in existence on the effective date of this Section, which is subsequently damaged or destroyed and thereafter reconstructed, re-established or repaired may maintain the same amount of parking and loading which existed on the date of damage or destruction, provided, however, if such damage or destruction exceeds fifty (50) percent of the value of such building, structure or use, then the parking and loading requirements contained in this Section shall apply as though the affected building, structure or use were new.
- 205.2F No existing parking spaces on the effective date of this Section shall be reduced in number or size below the requirements of this Section.

**SECTION 205.3      CBD EXEMPTION**

Upon determination by the Building Official that adequate public parking is available within a distance of less than five hundred (500) feet, the provisions of this Section may be waived by the Building Official for any building, structure or use located in the CBD (Central Business District). However, should the Building Official determine that adequate public parking is not available within a distance of less than five hundred (500) feet, then off-street parking shall be provided in compliance with this Section.

**SECTION 205.4      OFF-PREMISE PARKING (NON-RESIDENTIAL USES)**

If the required parking spaces for a non-residential use cannot be provided on the same lot as the principal use, the Board of Zoning Appeals may, as a Special Exception, permit such spaces to be located on other property, provided the following conditions are met:

- 205.4A The property shall be located within four hundred (400) feet of the principal use as measured from the nearest point of the off-premise parking lot to the nearest point of the building, structure or use served by such parking lot.
- 205.4B Such off-premise parking spaces are located within a zoning district which would permit the use to which such parking is accessory.
- 205.4C Such off-premise parking spaces shall not exceed fifty (50) percent of the required parking.
- 205.4D If such off-premise parking spaces are not in the same ownership as the use being served by said parking spaces, then a duly executed and acknowledged written agreement between the owner of the off-site parking area and the owner of the use shall be submitted to the Building Official. Said agreement shall assure the continued availability and usability of the off-premise parking for as long as required by the use and shall be recorded at the expense of the applicant with the Putnam County Register of Deeds.

**SECTION 205.5      COMBINATION OF REQUIRED PARKING SPACES**

The collective provision of required off-street parking spaces for two (2) or more uses located in the same or different buildings or structures shall be permitted subject to the following conditions:

- 205.5A The total off-street parking spaces collectively provided shall not be less than the sum of the requirements for each of the uses if computed separately, except that the parking spaces required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sunday may be assigned to a use which will be closed at night or on Sunday.
- 205.5B The location requirements in Section 205.4A above shall be met for each use.

**SECTION 205.6      USE OF PARKING SPACES FOR ANOTHER USE PROHIBITED**

Any land used for required off-street parking shall not be used for any other purpose.

**SECTION 205.7 DESIGN REQUIREMENTS FOR PARKING SPACES AND LOTS**

Parking spaces and lots shall be designed and constructed in accordance with the following minimum standards and requirements.

205.7A Off-street parking spaces shall be of dimensions conforming to the standards shown on Illustration 9, "Parking Space and Aisle Design Requirements" in Section 235 of this Zoning Code, but in no case shall be less than nine (9) feet in width and nineteen (19) feet in length.

**205.7B DESIGN REQUIREMENTS**

1. The design requirements for parking spaces and aisles located within a parking lot are shown on Illustration 9, "Parking Space and Aisle Design Requirements" in Section 235 of this Zoning Code.
2. Except on lots occupied by single family and two family dwellings, no parking spaces shall be designed so that a vehicle is required to back onto a public street or alley.
3. The minimum width of any driveway providing the sole access to a parking area containing ten (10) or more parking spaces shall be sixteen (16) feet. (As amended by Ordinance No. 005-04-06)

**205.7C SURFACING REQUIREMENTS**

Parking lots and driveways shall be surfaced with Portland cement concrete or asphaltic concrete, as specified in the Cookeville Subdivision Regulations, and be so constructed to provide for adequate drainage and prevent the release of dust.

**205.7D GRADES**

1. Grades within the paved area of a parking lot shall at no place be less than one (1) percent or more than five (5) percent.
2. Grades of driveways or entrances from a public street serving a parking lot shall at no point exceed eight (8) percent. Single- and two-family dwellings are not subject to the requirements of this section.

**205.7E LANDSCAPING**

1. Off-street parking areas containing twenty-four (24) or more parking spaces shall be subdivided into sub-lots containing not more than twenty-four (24) parking spaces separated by landscaped strips meeting the requirements of Section 208.5B of this Zoning Code.
2. All parking area landscaping requirements specified in Section 208.5B of this Zoning Code shall be met.

**205.7F CURBING**

Continuous curbing or individual wheel stops shall be provided where the front of a parking space is adjacent to the perimeter of the parking lots.

**205.7G LIGHTING**

Any lighting used to illuminate off-street parking lots shall be so arranged to prevent direct glare onto any public or private property, or streets.

**205.7H EXCEPTION FOR HM, HEAVY MAUFACTURING DISTRICT**

In the HM, Heavy Manufacturing District, the paving and parking lot landscaping requirements outlined in this Section shall apply only for parking and drive areas located between the structure and any street frontage.

**SECTION 205.8 MINIMUM OFF-STREET PARKING REQUIREMENTS**

The minimum number of off-street parking spaces for specified uses shall be as set forth in the following provisions. For uses not specifically mentioned herein, the minimum off-street parking spaces shall be based on the most similar listed use as determined by the Building Official.

**205.8A COMPUTATION OF REQUIRED PARKING SPACES**

1. When computation of the number of required parking spaces results in a fraction space, any fraction up to and including one-half ( $\frac{1}{2}$ ) shall be disregarded and fractions over one-half ( $\frac{1}{2}$ ) shall require one (1) parking space.
2. When parking spaces are computed on the basis of the number of employees or other uses of the structure, building or use, the maximum number present at any one time shall govern.
3. When parking spaces are computed on the basis of square footage they shall be based on gross square feet.
4. When a development involves a combination of uses the computation of the number of required parking spaces shall be based on each separate use.
5. For uses not specifically mentioned herein, off-street parking requirements shall be determined by the Building Official.

**205.8B RESIDENTIAL USES (As amended by Ordinance Nos. O03-10-20 and O15-08-21)**

1. Single-family dwelling: 3 spaces per dwelling unit
2. Two-family dwelling: 3 spaces per dwelling unit
3. Single family attached (townhouses), condominiums, efficiency apartments and multi-family dwellings: 1.25 spaces per bedroom per dwelling unit for the first 50 dwelling units and 2 spaces per dwelling unit for every dwelling unit exceeding 50 dwelling units.
4. Mobile Home Park: 2 spaces per mobile home unit
5. Elderly housing: 1.5 spaces per dwelling unit

**205.8C PUBLIC AND SEMI-PUBLIC USES**

1. Church or similar place of worship: 1 space per 3 seats of auditorium space
2. Club, lodge, or social organization: 1 space per 300 square feet

3. Community center, library, and museum: 1 space per 300 square feet
4. Day care center: 2 spaces per classroom, plus 1 space per 500 square feet
5. Elementary/middle school: 2 spaces per classroom, plus 1 space per 150 square feet of gymnasium/auditorium, plus 1 space per 250 square feet of office space
6. Fraternities and sororities: 3 space per bedroom
7. Funeral home: 1 space per 50 square feet of assembly rooms and parlors
8. Group home: 1 space per bedroom or sleeping room
9. High school: 6 spaces per classroom, plus 1 space per 150 square feet of gymnasium/auditorium, plus 1 space per 250 square feet of office space
10. Hospital: 2 spaces per bed
11. Medical office and medical clinic: 1 space per 250 square feet
12. Nursing home: 1 space per 3 beds, plus 1 space per 200 square feet of office area
13. Theaters and auditoriums: 1 space per 4 seats
14. Undeclared or undetermined tenant: 1 space per 250 square feet

205.8D COMMERCIAL AND INDUSTRIAL USES (As amended by Ordinance Nos. O03-10-20, O06-12-28, and O12-12-23)

1. Automobile sales: 4 spaces per service bay, plus 1 space per 250 square feet of office and/or storage space
2. Automobile repair shop/service station: 4 spaces per service bay, plus 1 space per 250 square feet of office and/or storage space
3. Bank/financial service: 1 space per 250 square feet, plus each drive through lane shall have a stacking length to accommodate a minimum of 6 vehicles
4. Barber and beauty shops: 2 spaces per chair
5. Bed and breakfast: 3 spaces for the principal dwelling, plus 1 space per rented room
6. Grocery store: 1 space per 200 square feet, plus 1 space per 500 square feet of storage area
7. Hotel, motel and tourist home: 1 space per rented room, plus 1 space per 250 square feet of office area, plus 1 space per 4 persons to capacity of meeting and/or banquet rooms
8. Industrial and manufacturing: 1 space per 250 square feet of office area, plus 1 space per 1,500 feet of other areas
9. Office, general: 1 space per 250 square feet
10. Recreation and amusement areas: 4 spaces per court and/or 1 space per 150 square feet
11. Retail, general: 1 space per 200 square feet for developments 50,000 square feet or less, 1 space per 225 square feet for development between 50,001 and 99,999 square feet, and 1 space per 250 square feet for developments 100,000 square feet and over
12. Restaurant, lounge, and food service establishment: 1 space per 3 seats of capacity, plus 1 space per employee based on largest work shift
13. Restaurant, drive through: Each drive through lane shall have a stacking length to accommodate 15 vehicles, plus 1 space per employee based on the largest work shift, plus 1 space per 3 seats of capacity if on-site dining is also provided
14. Wholesalers and warehousing: 1 space per 250 square feet of office area, plus 1 space per 1,500 feet of other areas
15. Undeclared or undetermined tenant: 1 space per 250 square feet

## 205.8E DEFERRED PARKING (as amended by Ordinance No. O12-12-23)

In order to reduce the provision of more off-street parking spaces than may be necessary to serve a particular development, the Director of the Planning Department and, if determined necessary by the Director of Planning, the Planning Commission, may allow some portion of the off-street parking required by this Zoning Code to be deferred if the conditions of this Section are satisfied.

1. Request Required

The developer or property owner shall submit a written request to the Director of Planning for a deferral of a portion of the required off-street parking.

2. Justification Required

The developer or property owner shall demonstrate that there is not a present need for the number of required parking spaces deferred.

3. Deferred Parking Plan Required

A deferred parking site plan shall be prepared meeting the following requirements:

- a. The site shall contain sufficient space to meet the full parking requirements of this Zoning Code. The site plan shall illustrate the layout for the full number of off-street parking spaces, and shall designate which parking spaces are to be deferred.
- b. Deferred parking spaces shall not be assigned to areas required for landscaping or buffer yards, or any areas that would otherwise be unsuitable for parking spaces because of physical limitations of the property or other requirements of this Zoning Code.

4. Written Commitment Agreement Required

- a. The site plan shall be accompanied by a written commitment agreement specifying that any time after the date of issuance of the Certificate of Compliance, the deferred parking spaces shall be converted to parking spaces that conform to the provisions of this Zoning Code at the developer and/or property owner's expense should the Director of Planning determine that the additional spaces are needed.
- b. The Director of Planning shall establish a reasonable time, not to exceed 12 months, for the developer and/property owners to bring the development into full compliance with the parking requirements.
- c. The written agreement shall be noted on the site plan and shall be depicted on a recorded plat and specified in any restrictive covenants.
- d. Alternately the developer and/or property owner may at any time request that the Director of Planning approval a permit allowing the conversion of the deferred parking to operable parking spaces.

5. Change in Use

Any expansion of the development or change in use shall conform to all parking requirements of this Zoning Code.

**SECTION 205.9 ACCESS CONTROL AND REQUIREMENTS FOR CURB CUTS (DRIVEWAYS) AND CULVERTS**

In order to promote the safety of the motorist and pedestrian and to minimize the traffic congestion and conflict by restricting the points of contact, the following regulations shall apply:

205.9A No lot shall have unlimited access to any public street.

205.9B MAXIMUM WIDTH OF ACCESS POINTS AND DRIVEWAYS (As amended by Ordinance No. O03-10-20)

1. For any single-family residential use, a point of access for vehicles onto a street, excluding the necessary turning radius, shall not exceed twenty-five (25) feet in width.
2. For any single-family residential use, driveway widths shall not exceed twenty-five (25) feet or twenty-five (25) percent of the lot width whichever is less. This shall not prohibit the construction of a turn around area, provided that such areas do not exceed twenty-five (25) feet in width.
3. For any multi-family residential use, a point of access for vehicles onto a street, excluding the necessary turning radius, shall not exceed thirty (30) feet in width.
4. For any non-residential use, a point of access for vehicles onto a street, excluding the necessary turning radius, shall not exceed forty (40) feet in width.
5. See Illustration 10, "Maximum Width of Access Points" in Section 235 of this Zoning Code.

205.9C NUMBER OF ACCESS POINTS ALLOWED (As amended by Ordinance No. O03-10-20)

1. Lots with less than seventy-five (75) feet of street frontage shall have no more than one (1) point of access to any one (1) public street.
2. Lots with street frontage of between seventy-five (75) and four hundred (400) feet shall have no more than two (2) points of access to any one (1) public street.
3. Lots with more than four hundred (400) feet of street frontage may be permitted more than two (2) points of access provided a traffic impact analysis demonstrates the need, and is approved by the Director of Public Works.
4. Double frontage lots, zoned or used for other than single-family residential purposes, with frontage on both a street of major collector or higher classification and a street of minor collector of less classification, shall be allowed access to the street of lower classification only upon review and approval of the Planning Commission.

205.9D For the purpose of this Section, shopping centers, planned developments, developments with a series of attached structures and associated out-parcels, or developments that are served by a common parking area are considered as one (1) lot.

205.9E SEPARATION BETWEEN ACCESS POINTS

Where two (2) access points are provided for one (1) lot frontage, an island of thirty (30) feet in width shall be provided between them. See Illustration 11, “Minimum Driveway Separation: Two Driveways – All Districts” in Section 235 of this Zoning Code.

205.9F SEPARATION OF ACCESS POINTS FROM STREET INTERSECTIONS

Driveways located adjacent to intersections shall be separated from the cross street so that the distance from the property end of the driveway radius to the edge of the pavement of the cross street, ignoring any radius along said street, shall be no less than fifty (50) feet or as determined by the Building Official after consultation with the Director of Public Works. In cases where the angle of intersection differs from ninety (90) degrees, the minimum separation between said intersection and adjacent driveways shall be determined in accordance with "Guidelines for Driveway Design and Location" as published by the Institute of Transportation Engineers. Said determination to be made by the Building Official after consultation with the Director of Public Works. See Illustration 12, “Minimum Separation – Intersection to Driveway” in Section 235 of this Zoning Code.

205.9G REPLACEMENT OF SIDEWALKS OR CURBS REQUIRED

Where sidewalks and/or curbs are removed for the construction of a driveway or entrance, they shall be replaced with a concrete apron to be constructed in conformance with the example shown on Illustration 13, "Concrete Driveway Details – All Districts” in Section 235 of this Zoning Code, or as determined by the Director of Public Works.

205.9H STANDARDS FOR MEDIAN CUTS

On streets containing a grass median, the minimum spacing between median openings (median cuts) shall be as shown in the following table or as determined by the Building Official after consultation with the Director of Public Works.

<u>Speed Limit</u>	<u>Minimum Spacing</u>
30 mph	370 feet
35 mph	460 feet
40 mph	530 feet
45 mph	670 feet
50 mph	780 feet
55 mph	910 feet

Said minimum spacing shall be defined as being from the centerline of median opening to the centerline of median cut.

**205.9I INSTALLATION OF DRIVEWAY CULVERTS OR OTHER DRAINAGE STRUCTURES**

Culverts, catch basins or other drainage structures shall be provided where deemed necessary by the Director of Public Works and shall be no smaller than twelve (12) inches in diameter if made of concrete and fifteen (15) inches in diameter if made of corrugated metal. A larger size shall be required if deemed necessary by the Director of Public Works.

**205.9J INSTALLATION OF CULVERTS BY THE DEPARTMENT OF PUBLIC WORKS FOR DRIVEWAYS OR ENTRANCES**

Upon request by the property owner and approval by the Director of Public Works, the Public Works Department may install culverts on the public right-of-way for the purpose of providing access to residential, commercial, industrial and other properties, provided the following conditions are met:

1. The property owner shall provide the appropriately sized concrete or metal pipe as deemed necessary by the Director of Public Works or City Engineer.
2. The maximum amount of culvert installed by the Public Works Department under the provisions of this section on any parcel or tract of land shall be limited to the amount needed to provide the maximum width of a driveway or entrance allowed under the provisions of Section 205.9B of this Zoning Code.
3. No fee shall be charged for the installation of a culvert at a driveway or entrance.
4. Should catch basins, fill dirt, seeding, end walls, or other drainage structures be deemed necessary by the Director of Public Works as a result of the installation of a culvert for driveways or entrances, the property owner requesting the defined service shall pay a fee as established by the City Manager for all similar services which is based on the cost of such materials.

**205.9K DRIVEWAY PERMIT REQUIRED**

1. No point of access on city streets or rights-of-way shall be constructed until a valid DRIVEWAY PERMIT has been approved by the Director of Public Works and issued by the Building Official, except as excluded in Section 205.9M of this Zoning Code.
2. No point of access on any state highway shall be constructed until a valid permit has been obtained from the Tennessee Department of Transportation, a copy of said permit shall be provided to the Building Official.

#### 205.9L PERMIT PROCEDURE

Application for a DRIVEWAY PERMIT shall be made to the Building Official on the form provided. Each application for a DRIVEWAY PERMIT shall be accompanied by a site plan for the site to be served said driveway or entrance. Said site plan shall, at the minimum, depict the following:

1. Be drawn to scale.
2. The location of all structures and parking areas on the site.
3. The location of the proposed driveway(s) or entrance(s).
4. The location of all existing driveways or entrances on the site.
5. The location of all driveways or entrances for all properties within three hundred (300) feet of the site. Driveways and entrances for both sides of the street shall be included.
6. The location of all existing utility poles on the site or within the public right-of-way adjacent to it.
7. The location of all catch basins, culverts or other drainage structures located on the site or within the public right-of-way adjacent to it.

#### 205.9M COMPATIBILITY WITH BUILDING PERMITS

No separate DRIVEWAY PERMIT shall be required for driveways or entrances shown on plans or drawings submitted as a part of an application for a Building Permit. However, said plans or drawings shall include all of the information required by Section 205.9L of this Zoning Code.

#### 205.9N PERMIT FEE

Prior to the issuance of any required DRIVEWAY PERMIT, the applicant shall pay a fee as established by the City Manager for all DRIVEWAY PERMITS.

#### 205.9O BOND REQUIRED

1. Any individual, partnership or corporation who applies for a DRIVEWAY PERMIT in accordance with the provisions of this Section shall be required to post a cash bond, irrevocable letter of credit or cashier's check in an amount sufficient, as determined by the Director of Public Works, to insure that the City shall be reimbursed in full for all expenses incurred by the City as a result of repairing, fixing, replacing, or performing whatever work is necessary to restore a violating driveway or entrance to its previous condition, or to bring a violating driveway or entrance into conformance with the provisions of this Section.
2. Upon completion of the improvements governed by said DRIVEWAY PERMIT, the cash bond, letter of credit or cashier's check will be refunded in full.

3. Failure on the part of the holder of a valid DRIVEWAY PERMIT to complete the driveway or entrance governed by said permit within sixty (60) calendar days of the date of said permit shall result in the forfeiture of the cash bond, irrevocable letter of credit or cashier's check in its full face value to the City. Upon forfeiture of the cash bond, irrevocable letter of credit or cashier's check, the Department of Public Works shall complete the work governed by said permit.

**205.9P BONDING EXCLUSION**

A cash bond, irrevocable letter of credit or cashier's check shall not be required for the construction of a driveway or entrance by the holder of a valid Building Permit as defined in Section 205.9M of this Zoning Code. However, the Building Official shall not authorize the permanent provision of electric service nor shall the Building Official issue a Certificate of Occupancy for the structure(s) governed by said Building Permit until such time as the provisions of this Section of the Zoning Code have been met in full and the driveway or entrance in question has been approved by the Director of Public Works.

**SECTION 205.10 OFF-STREET LOADING AND UNLOADING REQUIREMENTS**

The following provisions shall apply where off-street loading and unloading space is required:

**205.10A LOCATION**

1. Loading and unloading spaces shall be located on the same lot as the building or structure to which they serve.
2. No loading space shall be located in a required front yard.

**205.10B DESIGNATION AND USE**

Each required loading space shall be designated as such and shall only be used for loading purposes.

**205.10C COMPUTATION OF NUMBER AND LENGTH OF REQUIRED LOADING SPACES**

1. In the computation of the number and length of required loading spaces, floor area shall be deemed to include the gross area of floor space devoted to a particular use and any use incidental thereto, which floor area shall be measured along the interior faces of the walls or partitions which surround the perimeter of the space the given use occupies.
2. If a building or structure is devoted to more than one use, the number and length of loading spaces required shall be computed separately on the basis of the floor areas occupied by each such use.

205.10D DESIGN STANDARDS AND USE

1. Dimensions  
Required off-street loading and unloading spaces shall not be less than ten (10) feet in width and shall have an unobstructed vertical clearance of not less than fourteen (14) feet. Then minimum length of loading and unloading spaces shall be fifty (50) feet, exclusive of access or maneuvering space.
2. Surfacing and Drainage  
Loading and unloading spaces and maneuvering areas related thereto shall be surfaced with Portland cement concrete or asphaltic concrete, as specified in the Cookeville Subdivision Regulations, and be so constructed to provide for adequate drainage and prevent the release of dust.
3. All loading and unloading berths shall be marked indicating their purpose.
4. No off-street loading or unloading space shall be substituted for any parking space.

205.10E REQUIRED NUMBER OF LOADING AND UNLOADING SPACES

The number of off-street loading and unloading spaces required for specified categories of uses is as follows:

1. Multi-family dwellings:
  - a. Multi-family dwellings with 25 to 75 units: 1
  - b. Multi-family dwellings with 76 to 149 units: 2
  - c. Multi-family dwellings with 150 or more units: 3
2. Retail, Service, Wholesale, or Institutional Establishments  

A minimum of one (1) space for 10,000 square feet of floor area plus one (1) space for each additional 10,000 square feet or fraction thereof shall be provided
3. Manufacturing, Processing, Storage, or Distribution Establishments  

A minimum of one (1) space for 20,000 square feet of floor area plus one (1) space for each additional 20,000 square feet or fraction thereof shall be provided

**SECTION 205.11 QUEUING REQUIREMENTS FOR DRIVE THROUGH FACILITIES**

205.11A A minimum of five (5) queue spaces, including the vehicle being serviced, shall be provided for each drive through facility, unless otherwise specified in this Zoning Code. See Illustration 14, “Queuing Requirements” in Section 235 of this Zoning Code.

205.11B Each queue space shall be a minimum of twenty (20) feet in length and shall be measured from the point of ultimate service to the end of the queuing lane.

205.11C Each queue lane shall be a minimum of twelve (12) feet in width and shall be clearly defined and designed so as not to conflict or interfere with other traffic using the site.

205.11D A bypass lane with a minimum width of twelve (12) feet shall be provided and shall be clearly distinguished from the queuing lane by markings.

205.11E Queuing vehicles shall not stand within a public street or alley rights-of-way.